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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/771,519      | 01/24/2001  | Regina J. Liu        | ST9-99-177(A8062)   | 6767             |

7590 03/24/2004

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EXAMINER

AKERS, GEOFFREY R

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

3624

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/771519

Applicant(s)

Cin 96

Examiner

Alors, g

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 1/24/01
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-60 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some\* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4
- ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. Claims 1-60 are rejected under 35 USC 103(a) as unpatentable over Petrovich(US Pat. No: 6,101,483) in view of DiAngelo(US Pat. 6,101,482).

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2. As per claims 1-60 Petrovich teaches a method for executing a statement to manipulate data stored in a data store(Abstract)(col 2 line 13-53) which includes using a private catalog to access objects(col 2 lines 53-59).Petrovich further teaches a personal shopping system which may be used by a client and which performs enhanced shopping database management(col 2 lines 9-12) as well as being suitable for home or in a store(Fig 1/10/12/14).Petrovich further teaches that a host modem can be coupled to the host computer and which can be coupled to a public or private telephone line(Fig 1/22) which may be hard-wired, cellular or through satellite linking(col 4 lines 13-17).Petrovich teaches a shopping establishment kiosk coupled to the host computer(col 4 lines 18-19).Petrovich also teaches a system capable of reading bar codes which may include items from a catalog(col 4 lines 55-61)(Fig 3A)(Fig 3B). Petrovich also teaches a point-of-sale check out terminal(Fig 4) as well as having the client being identified to the host computer as an authorized user(col 5 lines 45-62).Petrovich also teaches providing the user with a plurality of control keys to permit the user to interact with the display(col 6 lines 37-53).Petrovich also teaches storing information related to product bar codes which are transferred to the host computer for storage in a database(col 8 lines 30-40) as well as verification of an order based on an element in the host computer

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database(col 9 lines 12-38).Petrovich also teaches maintaining a "customer preference file"(col 11 lines 1-2) which can be updated periodically(col 11 lines 3-12) as well as storing information related to a given shopping establishment(col 11 lines 33-40).Petrovich also teaches that phone lines can be public or private(col 11 lines 41-46) and that users can modify shopping lists(col 12 lines 28-48). In addition to that taught by Petrovich, DiAngelo teaches non-private objects(Abstract)(Fig 4/64)(Fig 3).DiAngelo further teaches that a client may re-establish connection with a web site for updated information(col 3 lines 18-30) before the transaction is consummated. DiAngelo then teaches maintaining a plurality of independent transactions sessions in process until a user is prepared to make a purchase(col 3 lines 32-35).DiAngelo also teaches customized core functionality of the interface through plug ins for the user(col 5 lines 4-14).DiAngelo also teaches searching by names of objects (col 6 lines 26-34). DiAngelo also teaches purchasing elements on line by a client using a universal shopping plug-in(col 6 lines 59-62)(Fig 4) as well as holding items for later review by a user for verification for data architectures not yet known(col 7 lines 12-53).DiAngelo also teaches that the software routine ends at the conclusion of the shopping experience(col 8 lines 1-24).DiAngelo also teaches persistent client state cookies with a defined lifetime state(col 9 lines 11-45) which are deleted from the data store after a defined amount of time. It would have been obvious to one skilled in the art at the time of the invention to combine Petrovich in view of DiAngelo to teach the disclosure. The motivation to combine is to teach a client-side shopping cart controlled by the user to facilitate Web commerce and enunciated by DiAngelo(col 2 lines 30-32).

**Conclusion**

**3. THIS ACTION IS MADE NON-FINAL.**

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4. Any questions concerning this communication should be addressed to the primary examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the primary examiner are unsuccessful, the primary examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

GRA

March 17, 2004

DR. GEOFFREY R. AKERS, P.E.  
PRIMARY EXAMINER